

five recovery stops with a pedal force that does not exceed 400 Newtons (90 pounds), and a hand lever force that does not exceed 245 Newtons (55 pounds) for any of the first four recovery stops and that for the fifth recovery stop, is within, for the foot pedal force, plus 110 Newtons (24.7 pounds) and minus 25 Newtons (5.6 pounds) and, for the hand lever force, plus 125 Newtons (28.1 pounds), and minus 10 Newtons (2.3 pounds) of the fade test baseline check average force (S7.6.3).

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S5.7.2 Water recovery test. Each motorcycle shall be capable of making five recovery stops with a pedal force that does not exceed 400 Newtons (90 pounds), and hand lever force that does not exceed 245 Newtons (55 pounds), for any of the first four recovery stops, and that for the fifth recovery stop, is within, for the foot pedal force, plus 110 Newtons (24.7 pounds) and minus 25 Newtons (5.6 pounds) and, for the hand lever force, plus 125 Newtons (28.1 pounds) and minus 10 Newtons (2.3 pounds) of the water recovery baseline check average force (S7.10.2).

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S6 Test conditions. The requirements of S5 shall be met under the following conditions. Where a range of conditions is specified, the motorcycle shall be capable of meeting the requirements at all points within the range.

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S6.10 Brake actuation forces. Except for the requirements of the fifth recovery stop in S5.4.3 and S5.7.2 (S7.6.3 and S7.10.2), the hand lever force is not less than 10 Newtons (2.3 pounds) and not more than 245 Newtons (55 pounds) and the foot pedal force is not less than 25 Newtons (5.6 pounds) and not more than 400 Newtons (90 pounds). * * *

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Stephen R. Kratzke,
Acting Associate Administrator for Safety
Performance Standards.
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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 224

[Docket No. 991108299-9299-01; I.D. 102299A]

RIN 0648-XA39

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AF80

Endangered and Threatened Species; Proposed Endangered Status for a Distinct Population Segment of Anadromous Atlantic Salmon (*Salmo salar*) in the Gulf of Maine

AGENCIES: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce; Fish and Wildlife Service (FWS), Interior.

ACTION: Proposed Rule, notice of public hearing.

SUMMARY: NMFS and FWS (the Services) have completed a status review of U.S. Atlantic salmon populations and have determined that a distinct population segment (DPS) of Atlantic salmon in the Gulf of Maine is in danger of extinction. The Services have reviewed the status of the species and the efforts being made to protect the species and are proposing to place the Gulf of Maine DPS of Atlantic salmon on the list of endangered species under the Endangered Species Act of 1973, as amended (ESA). The Services have determined that the species' status has declined since the December 1997 determination that listing was not warranted. Specifically, documented adult returns have remained low despite projections of increased marine survival, presmolt survival has been found to be lower than previously estimated, the detection of a new disease led to the destruction of the Pleasant River broodstock, a disease from Europe has affected the Canadian aquaculture industry and spread toward the U.S. border, the use of non-North American strains of Atlantic salmon in the U.S. aquaculture industry has increased, aquaculture escapees continue to be detected in the wild, and salmon habitat continues to be threatened by water withdrawal and sedimentation. If this proposed listing is finalized, the protective measures of the ESA will extend to the Gulf of Maine

DPS of Atlantic salmon, and a recovery plan will be prepared and implemented. **DATES:** Comments on this proposal and on the July 1999 Status Review announced in the October 19, 1999, **Federal Register** (64 FR 56297) must be received by February 15, 2000. A public hearing will be held at 6:00 pm on January 19, 2000.

ADDRESSES: Send all comments and materials concerning this proposed rule and the 1999 Status Review to the Chief, Division of Endangered Species, U.S. Fish and Wildlife Service, 300 Westgate Center Drive, Hadley, Massachusetts 01035, or the Endangered Species Program Coordinator, National Marine Fisheries Service, 1 Blackburn Drive, Gloucester, Massachusetts 01930. The public hearing location is in the cafeteria of Ellsworth Middle School, 20 Forrest Avenue, Ellsworth, Maine 04605. The 1999 Status Review may be obtained by contacting either of the above individuals or downloaded from the following site: <http://news.fws.gov/salmon/asalmon.html>. Please note that electronic mail or internet site comments will not be accepted.

FOR FURTHER INFORMATION CONTACT: Mary Colligan, NMFS, at the address above (978-281-9116) or Paul Nickerson, FWS, at the address above (413-253-8615).

SUPPLEMENTARY INFORMATION:

Background

In 1991, the FWS designated Atlantic salmon in five rivers in "Downeast" Maine (the Narraguagus, Pleasant, Machias, East Machias and Dennys Rivers) as Category 2 candidate species under the ESA (56 FR 58804, November 21, 1991). This designation simply indicated that the FWS had determined that listing was possibly appropriate but that further biological information was needed to support a proposed rule to list the species. The FWS then began working more vigorously with the NMFS as well as with the State of Maine and private agencies to reverse the decline in salmon abundance. During that same period, the NMFS was conducting an exhaustive 5-year study of the Narraguagus River, demonstrating that spawning and nursery habitat appeared suitable and should produce more fish given adequate escapement levels.

The Services received identical petitions in October and November of 1993 to list the Atlantic salmon (*Salmo salar*) throughout its historical range in the contiguous United States under the ESA. The Services found on January 20, 1994 (59 FR 3067), that the petition presented substantial scientific